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Attorneys for Defendant BEAM GLOBAL SPIRITS & WINE  
LLC f/k/a BEAM GLOBAL SPIRITS & WINE, INC.

IN THE UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Renata Bonar, On Behalf of Herself, All Others  
Similarly Situated and the General Public,

Plaintiff,

v.

BEAM GLOBAL SPIRITS & WINE, INC., and  
DOES 1-25, Inclusive,

Defendants.

Case No. 11-cv-02058 CAB (KSC)

The Hon. Cathy Ann Bencivengo  
Courtroom: 2

**NOTICE OF MOTION AND MOTION  
BY DEFENDANT BEAM FOR  
SUMMARY JUDGMENT**

[Filed concurrently with Memorandum of  
Points and Authorities, Declaration of  
Susan St. Denis and Declaration of Steve  
Fechheimer.]

**Date:** February 19, 2013

**Time:** 2:00 p.m.

**Place:** Courtroom 2

CHADBOURNE & PARKE LLP  
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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on February 19, 2013 at 2:00 p.m. in the courtroom of the Honorable Cathy Ann Bencivengo, located at 221 West Broadway, San Diego, California, 92101, Defendant BEAM GLOBAL SPIRITS & WINE LLC ("Beam") will and hereby does move for summary judgment dismissing all counts of Plaintiff's complaint.

This Motion is made on the ground that the uncontroverted facts show that whereas Plaintiff's alleged purchases of "Skinnygirl Margarita" occurred in or before January 2011, Beam did not own "Skinnygirl Margarita" until March 17, 2011. Thus, Beam did not make, market or sell the "Skinnygirl Margarita" product Plaintiff allegedly purchased. Moreover, Beam, which acquired the "Skinnygirl Margarita" trademark and certain related assets pursuant to an Asset Purchase Agreement dated March 17, 2011, did not assume liability for sales or marketing activities or for products manufactured or sold before that date. Summary judgment is therefore warranted as a matter of law, pursuant to Federal Rule of Civil Procedure 56.

This Motion is based on this Notice, the accompanying memorandum of points and authorities, the supporting declarations and exhibits thereto, and the court files, records and other evidence and argument as may be presented in connection with this Motion.

Dated: November 29, 2012

CHADBOURNE & PARKE LLP

By s/Susan St. Denis  
 Susan St. Denis  
 Attorneys for Defendant BEAM GLOBAL  
 SPIRITS & WINE LLC